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International Court of Justice

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12 June 1946

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H0944-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OR ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

WEDNESDAY, 12 JUNE 1946.

COMMISSIONERS:

Captain Tubridy
Mr. Taylor. George R

THE SS

(The Commission convened at 1500 hours)

HEINZ JOACHIM GRAF, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY: Will you stand, please, and raise your right hand and repeat after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

DIRECT EXAMINATION

BY CAPTAIN TUBRIDY:

Q Give your full name, please, and be seated.

A Heinz Joachim Graf.

DR. KOESSEL: First the witness is to prove that he as a former worker in the research and seminar Ahmenerbe (heritage of our ancestors), had no criminal aim and methods.

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As this witness is in the Interpretation Division he is to testify that the Interpreters of the SS were given no criminal instructions and did not carry out any criminal activities, and, third, he is to testify that as members of the second armored division of the 5th SS Mountain Army No. 4, that this unit held and kept strictly to rules of war confined to the world of culture.

BY DR. KOESSEL:

Q Witness, when did you enter the party?

A On the 19th of November, 1937.

Q When did you enter the SS?

A On the 20th of April, 1939.

Q Where did you work before the outbreak of the war?

A On the 15th of October, 1938, I became a consultant in the Research and Seminar Unit of the Heritage of our Ancestors.

Q What sort of work did you do there?

A Together with many other people I did research work concerning the philological and cultural heritage of the Indo European people.

Q What was the obvious purpose of this institute?

A The aim of this organization, which was a registered organization, was to do research work concerning the philological and cultural heritage on a scientific and objective basis of the New European World. The scien -

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tists who entered this organization usually did not xxxxx know that this organization was directed by the personal staff of the SS leaders. In fact this organization was not assimilated into the personal staff of Himmler as Amt A until 1941. Most of the scientists who entered this organization did so for reasons that were purely scientific and not political. One of the facts that induced the scientists to xxxxxxxx enter this organization was that this organization was able to place the funds for research work at their disposal. Therefore, research work could be done in fields that previously had to stay in the background because of lack of money. Many young scientists, like myself, were induced by the fact, that the salary paid was a very decent one, and this enabled the founding of a family. No political or ideological pressure was asserted for collaboration in this organization. Of course, in this organization as in all other human organizations there were extremists who would take idealogic direction of the work done there. xxxxxxx In such cases, it might happen that one would be decried as a xxxxxxxxxx reactionary person, but if one remained firm, no further attempts were made to put pressure upon us. I can give some personal experiences as an example, that keeping in touch with foreign scientific work was in no way prohibited until 1941. For example I received a degree from the Historical Society of the University of the State of Pennsylvania from the State

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Department. Until 1943 I carried on an unrestricted correspondence with the Swedish man of letters, Stig Wihander, I also carried on an unrestricted personal correspondence with numerous German men of letters and musicians and so on who were not agreeable to Germany. This also included correspondence with Jewish musicians and my membership in this organization did not mean that one was forced to enter the SS. Of course, on the principle, that upon I shall sink my hopes on one whom I depend for my eating, one must often find that kind of honorary rank within the SS.

Q Did you have anything to do with the extermination of the Jews, sterilization, or forced evacuation of the Jews?

A No, we heard only now of the events of the 8th and 9th of November. For example, only what has been communicated to the German people by state leadership.

Q Could you make any observation during your work with the Ahmenerbe that would lead you to conclude that they had criminal aim in you or that the SS in general had criminal aims in you?

A My experience only took me as far as the 6th of November, 1939, when I entered the Waffen SS, the militarized SS. Until that time the criminal character of the SS was not shown by our work with the Ahmenerbe. On the contrary, there were many things that one would

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have to consider from an objective point of view, even if one was not bound ideologically. Of the events of 1934 we also knew only what had been published officially.

Q Can you give any authoritative information concern-- ing the interpreters organization of the SS?

A Yes, in October, 1941, I was ordered to go to Berlin from the front. I was ordered to found the interpreting department of the Waffen SS, to build it up and direct it.

Q Since which time and why did the Waffen SS have an interpreters department of it's own?

A The reason that lead towards the building up of an interpreters department of the Waffen SS were purely practical ones. Considering the very quick building up and extension of the Waffen SS, the army could never pay for the required number of interpreters at it's disposal. For self-evident reasons the army was not interested in supplying the WaffenSS with interpreters. The third reason was that by reason of the very large number of Volksdeutsche, Germans of foreign extraction who lived abroad, the Waffen SS had at it's disposal the very much larger numbers of foreign people who could be used as interpreters than those who had been born in Germany proper.

Q Since which time did the Waffen SS have interpreters at home?

A A short time after the beginning of the inter-

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preters department in 1941, the first interpreters were trained and sent to the division. These interpreters had a training that was in no way different from the training prescribed by the I-C regulation according to rights of international law. The same requirements xxxxx were applied xxxxx here as were applied to the training of interpreters of the army. Concerning this one thing, interpreters of the Waffen SS, I ordered the following to be observed and no contrary orders were ever published or issued in the official SS gazette: First, that the prisoner of war who was being interrogated, deserved our humane and personal esteem, and that our purpose of getting from him information concerning the leadership and the purpose of the enemy measure was only of secondary importance. If the prisoner of war who is going to be interrogated shows that he is reluctant to testify no pressure and no third degree and no unallowed methods are to be used on him. The Volksdeutsche Convention and the Geneva Convention were in all cases to be considered the highest law. No trespassing of this regulation was ever reported to me. Also I might say as I handled the training of I-C interpreter's department and I received instructions from other people in my turn.

Q But were not the interpreters asked by secret methods to support criminal actions and illegal activities?

A No

Q Will you say that the monthly official reports of the interpreters' department of the different divisions

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of the leading SS lead people to believe that illegal activities were being carried out contrary to international law?

A Up to the 15th of August, 1943 when I might say the direction was taken out of my own hands, numerous reports of the interpreters' division were sent to me but never once could I say that any such illegal method had been made use of.

Q Do you know of the order to shoot members of commandos?

A Do you mean the much discussed Fuehrer order of October, 1942?

Q Yes.

A Yes, I can give exact statements concerning this. This order was sent to the second armored division of the 5th Mountain Division of Corps on April 1944. Thereupon, the third general staff officer, who was the I-C of his corps, convened his officers for a conference and said in a sense the following: I took part in this conference as Chief Interpreter of the Interpreters' Court: Gentlemen: This order is of especial importance for us because as we are stationed on the Dalmatian Coast we naturally have to do with Allied Commandos in support of Tito, but this order can never be carried out by us, as the conditions set forth in this order are represented

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in our corps area. The Allied Commandos in this area are fighting like our own units, according to the rules of war. They are not using any tactics, any especial unethical battle methods, and they are shown to be members of the enemy by their uniform.

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THE WITNESS: Therefore, a proposal was made to the commander general to instruct his divisions that these troops ought to be treated exactly the same way as all regular flying troops of the enemy. Thereupon, the divisions acted exactly and in accordance with these regulations. I can prove this by a photostatic copy of letter which the English left~~handed~~ Colonel, Jack Churchill, commander of the 2nd Service Brigade, who had been an interpreter of the Island Gratz in connection with our action Freischaerler Partisans when our left blank was endangered wrote. In this letter left~~handed~~ Colonel Churchill expressed his thanks for the correct treatment. Left~~handed~~ Colonel Churchill was interrogated by me afterwards, and this interrogation was broken off, although the testimony of this officer would have been extremely valuable for us, though I say he was reluctant to give the information. The same measures were applied to enemies through the personnel, for example, in the case of the English Left~~handed~~ Colonel Skipwith, who had been taken prisoner in connection with reconnaisance action, and who also could have given very valued information to us.

Q Were any of the Allied Military commission captured in your corps area, and if so, how were they treated?

A No members of the so-called liaison staff of Tito were taken prisoner in our corps area.

MR. TAYLOR: The Commission will take a ten minute recess.

(Recess)

By MR TAYLOR: You may proceed.

KOESSL:

BY DR. ~~KKKKKKK~~.

Q What happened to the prisoners of war who had bailed out into the Army Corps area?

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A Allied aviators who had bailed out, or made emergency landings in our area were not interrogated, but they were given medical treatment, and then handed over to the ~~Fuehrer R~~ leader by order of the Army High Command which stated that Amt II were not allowed to interrogate aviators who had landed or bailed out.

Q Were the principles of war observed also towards the members of Tito groups and organizations?

A When the 5th Army came to the Balkans in the Fall of 1944, the military action taken by the Tito Bands was practically commanded, so that the members of these Tito Bands with which we had to do were issued and wore uniforms, and behaved themselves correctly. Therefore, the members of the Tito Band who were interrogated within the scope of the general command of the 5th Corps were treated according to International and War Law. Along with these there were also partisan troop bands who had no right to be treated correctly, because they did not wear a uniform, and did not behave themselves in their actions to deserve such treatment. These bands and Partisans fought in a manner similar to the one described by the French Prosecutor DuBost, who said that the methods used by the French members of the French underground movements could hardly ask for a treatment corresponding to International Law, but inspite of this condition, also these prisoners were only treated fairly. ~~when in case~~ They were ~~fed~~ fed according to the number three ration rate, and after their interrogation sent to Zenica. They were sent there for the reason that we wanted to spare the civilian population from having unnecessary losses. The civilian population had to suffer enough as it was, which was unavoidable, of course, from the war, and military actions that were going on there.

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Q You want to say that even the Partisans were given and treated according to the general military laws?

A Yes. I can give a view by illustration to show that even with these wild Partisans a regular exchange of prisoners according to International Law was carried on, and at a one to one ratio.

Q Was the name Zenica which you have mentioned an army camp or an SS camp?

A The prisoners collecting camp, Zenica, was under the jurisdiction of an army commander. The guarding of this camp was carried out probably by the army members, and properly by members of our corps. The SS Sturmbannfuehrer Willibald Keller, who had to see to the administration of this camp, saw to it that the organization, and the makeup of the camp was a very pleasant one. I am sorry. The administration was in Keller's hand, or, provisions of the camp were in Keller's hand.

Q What was the troops conduct towards the civilian population?

A The troops were always given strict orders to do as much as possible to protect and save the civilian population. I remember the members of the reconnaisance unit of this corps who had taken part in excesses against the population, and forbidden approach to these women, had been punished with extraordinary heavy punishment. These punishments were such so that one might think they stood in no relation at all to the weight of the offense committed. This took place according to the express will of the General of the corps, who wanted to give as much protection to the civilian population, who had already suffered enough through the fights that had been carried on for years on a relatively small area. But there is no question that the civilian population necessarily had heavy losses considering the extent of the fight militarily and politically,

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and in such a very small area. In our opinion it is less fought of the regular fighting troops on the one side or the other as it is fought by the wild fighting partisans in a regular Tito organization.

Q Do you know of any order according to which soldiers were not to be punished who had taken part in excesses with the native population?

A Sofar as I know this order was not known in our corps, and within our corps area no actions for disciplinary reasons were taken, in such a case that would have been silly and would have been absurd.

COLONEL GRIFFITH JONES: May I interrupt. Was this the original commander, or otherwise, you mentioned.

THE WITNESS: My experience refers only to what I can relate. Refers only to the 5th Army Corps Mountain Division.

COLONEL GRIFFITH JONES: Yes, I think that clears it up.

THE WITNESS: This order to which you refer was made known to me through different channels, and this order does not say that the German soldiers who committed a penal offense against a member of the native civilian population was not to be punished, but that he under certain circumstances did not have to be punished. I can give an example that I personally experienced concerning this order. During the battles about Turnisia, a member of the Nordland Regiment was accused by ~~him~~ a Soviet Woman teacher that he had carried off, or stolen her gramaphone, whereupon, he was placed before the summary court, tried and sentenced and executed.

BY DR. KOESSL:

Q Did the 5th Army Corps Mountain Division receive orders from the chief of the anti-Partisan Regiments?

A Anti-Partisan troops SS Obergruppenfuehrer and General v. dem Bach

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Silewski had no jurisdiction go give us any orders. He merely sent us a map of which we could make no use because it was incompetent, andgave us no information.

Q The witness Bach Silewski has testified,and his testimony will be found on page 2408 of the German transcript that very confused conditions prevailed in the fighting of Partisans. Is this also true of the European area?

A No.

MR TAYLOR: I believe the answer was no, wasn't it?

THE WITNESS: No. I have not finished. No, inour area I can not say that there was any wild confusion concerning thefighting of Partisans from the Army. According to a special penal code,of paragraph 2 from the document,from the Autumn of 1939 the term Partisan was very clearly defined, and put on an equal basis with the word "Freischaerler",and its term is defined according to both the Geneva and the Hague Conventions,and was defined very clearly. I do not see how any confusion could arise either as to meaning of the term "bandit." The exact date of this special military penal code is the 5 October 1938.

BY DR. KOESSL:

Q The witness, dem Bach Silewski hastestified that up until the year 1944 was a service regulation issued concerning the troops and the Partisans, and not until then was the term "Partisan" clearly defined.

A Thistestimony is incorrect. That already on 27 November 1942 regulations were issued concerning the fighting of Partisans, and the temporary "Freischaerler Army Gazette regulation No. 69-2, a new definition was shown from new experience,so a Partisandefinition had to be given this new term,and thedefinition was issued between 12th and 18th of December,1944,

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in the council of the Sassmuchi Koli. The collaborators of this new regulation were members of the general staff of the army, and SS Sturmbann fuehrer Keller, who had written the well known pamphlet "Guerrilla Warfare" lies dispite our desparate situation or difficulty, and I might say to define the term Partisan was a newly defined term, and I repeat, according to the regulation of the Geneva Convention. The representative of the Waffen SS did not try to induce the gentlemen of the army to give a different formulae to the army. From the very beginning there was no difference of any kind sofar as this point was concerned. Of course, there was a differnce of opinion sofar as the questions of tactics were concerned, as it always is in cases when tacticians meet.

MR TAYLOR: The Commission would like to ask the defense counsel if he does not agree that the witness is going pretty far afield with explanations, and he is to answer with an intelligent answer to your questions, but apparently it seems that he is explaining in detail more than what counsel has stated this witness would testify to.

DR. KOESSEL: I shall ask of you two more small questions concerning this group of questions, and that would end the discussion in this matter. The testimony of this witness concerning the facts presented has been very valuable, however, because the prosecution has received a very blurred picture concerning the Partisan fighting.

MR TAYLOR: Allright, proceed, but always try to keep the testimony within the facts alleged so as to save time as much as possible.

BY DR. KOESSEL:

Q The witness dem Bach Silewski has also testified that action against the Partisan went very far in their immediate activities, is that correct?

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A Not within our corps area.

Q Under whose jurisdiction was the 5th SS Mountain Corps?

A Under the High Command of the Army.

Q Did the Army have a similar part in Partisan combatting, as the Waffen SS in the south and eastern territories?

A As the Waffen SS was considerably larger than the Waffen SS, correspondingly larger troops were employed of the army for Partisan combatting in the southeastern area.

DR. KOESSLER: That is all, thank you.

MR TAYLOR: Any cross examination?

CROSS EXAMINATION

BY COLONEL GRIFFITH JONES:

Q You told us first of all about your work inthe Ancestral Heritage Ahnenerbe?

A Yes.

Q Can you tell me how many people were employed in that office, who were also members of the SS?

A I could only estimate the number.

Q Will you estimate the number?

A My estimate would include about one-half of the members.

Q And how many in figures would that be?

A About fifty in my estimate. I should like to stress the fact that these are only estimates.

Q And would they all be honorary members?

A Yes, they only be honorary members.

Q And had they any wish to hold that honorary rank. Was there any reason why they should drop it?

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A To that question I could only testify what one of my friends in the Ahnenerbe and myself spoke about when we were offered this honorary membership.

Q What was your position?

A There were a number of older SS leaders who became very much disqueited because a number of young scientist appeared on the scene who had a certain extensive factual knowledge at their disposal.

Q I think you perhaps misunderstood me. Now, if you had not wish to hold an honorary rank of the SS, there was nothing that could have made you do so?

A No. I could not be forced.

Q Now I want to ask you about the interpretering section of the Waffen S.S. Did that section provide interpreters to all units of the Waffen SS?

A As long as I myself was the consultant of this division, they did say this would be until 15 August 1943.

Q Those persons whom you recruited into your interpreting section, were they voluntary members of the Waffen SS?

A These interpreters were not recruited. They were transferred from the troops of the Waffen SS, but there were, however, people who had heard that they could become interpreters in the Waffen SS, who, having membership in the Waffen SS wanted to become interpreters with them.

Q Did you ever hear of any complaint from those interpreters who had been in the Waffen SS units -- I had not finished my question. Did you ever hear of any complaint from them that they had been drafted into the Waffen SS against their will?

A No. There were interpreters, however, who did not fulfill the requirements demanded of a troop interpreter. These interpreters told

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me they did not feel themselves qualified,and they were given the possibility of returning to the fighting troops of the Waffen SS.

Q How many men passed through the interpreters section during the time that you were in charge?

A Up to August 1943 about seven-hundred men. Of these two-hundred and eighty had passed the interpreter's examination. The remainder either still were in training, or had not met the requirements of the examination.

Q Can you tell me for what period,and give me the dates of the period with which you were serving with the 5th Mountain Division or Corps?

A From the 15 August 1943 until the 15 October 1944, and in different capacities.

Q Did you ever hear of any complaint from any officer or soldier during that period that they had been compelled to join the Waffen SS against their will?

A This question goes outside the scope of my experience .

Q No, I simply asked you whether you had heard any complaints from anybody?

A No.

Q After your interpreters had left you and gone to the units to which they were appointed, do you know any instances of complaint from any of them of the conditions under which they had to serve?

A Yes, I do.

Q In respect to what?

A These interpreters very often complained to me in letters that they were not being employed in their units in the capacity that they as interpreters might have accepted in the personnel selections.

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Q Perhaps I did not make myself clear. Did you ever receive any complaints from them that they, or their units with which they were serving, had in any way broke the rules of warfare?

A No.

Q They would have already had known, would they not, the orders in respect to commanders personally?

A I can not tell, because I do not know how far the orders concerning the treatment of the commanders' personnel became known in the different units.

Q Was it the duty of those interpreters to carry out interrogations of prisoners?

A That depended.

Q Was it to a great extent a part of their duty? Try to keep your answer as short as you can.

A According to the report that was sent to me monthly concerning the interpreters' sections.At the front there were always interrogation officers assigned for interrogating prisoners of war with the help of a sub-interpreter,but when prisoners of war of lower rank were interrogated, they were very often only interrogated by the interpreter.

Q Very well. Towards the end of 1944 would there had been any SS interpreters other than those that had been through their training establishment?

A I can not say, because the experience that I had with the interpretation sector only goes as far as 1943.

Q When you left were there interpreters in the SS other than those which had been trained in your establishment?

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A Does this question refer to the Waffen SS, or to the General SS?

Q I imagine by that time the general SS was small, so the question would most likely relate to the Waffen SS?

DR. KOESSL: The interpretation was perhaps incorrect. The witness did not mean the general SS, but the SS in general.

BY COLONEL GRIFFITH JONES:

Q I mean the SS in general. Would there be other interpreters in the SS in general besides those trained by your establishment?

A My answer can only relate to the sector of the Waffen SS.

Q I just want to put this to you. Were any of your interpreters used by or drafted to the Einsatz commander?

A What is the Einsatz Commander?

Q I won't go into that question then. Were any of them employed in concentration camps?

A No, they were too precious for that.

Q I have a report here about the office of the Haupt and Hauptbannfuehrer Nichol. Do youknow of that office?

A No.

Q It is PS-1137, and I regret I have not got the court number before me. That was the office which was set up in the Eastern territories for the recruitment of youths from the local population for employment in the Reich?

A I do not know of the office which was just mentioned nor do I know the director of this office who was mentioned here, but I know the reign of the Hauptbannfuehrer.

Q Perhaps you had better look at the document, signed by Nichol, Hauptbannfuehrer.

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A That relates to the Hitler youth organization.

Q If that office had employed interpreters, would they had been Waffen SS interpreters?

A (No answer)

Q You will see on page 6 of the document there appears the personnel employed by your office, and under that there are described as SS members 234.

DR. KOESSL: No commission officers, privates and interpreters.

THE INTERPRETER: The answer to your first question is not translated.

BY COLONEL GRIFFITH JONES:

Q Would those SS interpreters have been Waffen SS interpreters?

A As long as I was in charge of the interpreting sector of the Waffen SS, many applications from offices that had nothing to do with the Waffen SS came to us for interpreters and now (witness reads in German from the doument) -- I see there is no date on the document.

Q 1944 October.

A I can not give any testimony as to this, because at that time I had nothing to do with the interpreting section of the Waffen SS.

COLONEL GRIFFITH JONES: That is all.

By - MR TAYLOR: Any further cross examination.

BY M. MONERRAY: How long had you been in the office of the Ahnenerbe?

A I did not work in the office of the Ahnenerbe. I worked as a scientific collaborator.

Q Were you working as inside the Ahnenerbe office?

A My first position was scientific assistant to Professor Herman Wirth. When Professor Wirth left the Ahnenerbe I was placed under the office of the

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Schrift und Simmbildkrunde, runic and Antique research, research of antique symbols,but I was allowed to do individual and personal research along my line.

M. MONERRAY: I have some questions along the ~~lines~~ Ahnenerbe lines.

MR TAYLOR: I ~~further~~ think the other two counsel have some questions they want to ask.

MAJOR MURRAY: I have no questions.

COLONEL ORLOV: I would like to ask a question.

MR TAYLOR: Shall we adjourn, and continue cross-examination to morrow.

COLONEL ORLOV: Whatever is the wish of the Commissioners.

MR TAYLOR: Very well. The Commission will Adjourn until tomorrow morning.

(The Commission adjourned until 13 June 1946 at 1000 hours)

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The foregoing is a true and correct transcript of the testimony of Hinz Joachim Graf, taken on 12 June 1946.

Pare W Cook
Reporter (pp 1-8 pp)

Charles J Gallagher
Reporter (pp 9-21 pp)

Reporter (pp pp)

CERTIFIED TO:

Geo R Taylor
Commissioner

Commissioner

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

Wednesday, 12 June 1946.

COMMISSIONERS:

Captain Tubridy
Mr. George R. Taylor

THE SS

(The Commission convened at 1500 hours.)

HEINZ JOACHIM GRAF, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY: Will you stand please, and raise your right hand and repeat after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

DIRECT EXAMINATION

BY CAPTAIN TUBRIDY:

Q. Give your full name, please, and be seated.

A. Heinz Joachim Graf.

DR. KOESSEL: First the witness is to prove that he as a former worker in the research and seminar Ahmenerbe (heritage of our ancestors), had no criminal aim and methods.

As this witness is in the Interpretation Division he is to testify that the Interpreters of the SS were given no criminal instructions and did not carry out any criminal activities, and third, he is to testify that as members of the second armored division of the 5th SS Mountain Army No. 4, that this unit held and kept strictly to rules of war confined to the world of culture.

BY DR. KOESSEL:

Q. Witness, when did you enter the party ?

A. On the 19th of November, 1937.

Q. When did you enter the SS ?

A. On the 20th of April, 1939.

Q. Where did you work before the outbreak of the war ?

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A. On the 15th of October, 1938, I became a consultant in the Research and Seminar Unit of the Heritage of our Ancestors.

Q. What sort of work did you do there ?

A. Together with many other people I did research work concerning the philological and cultural heritage of the Indo European people.

Q. What was the obvious purpose of this institute ?

A. The aim of this organization, which was a registered organization, was to do reserach work concerning the philological and cultural heritage on a scientific and objective basis of the New European World. The scientists who entered this organization usually did not know that this organization was directed by the personal staff of the SS leaders. In fact this organization was not assimilated into the personal staff of Himmler as Amt A until 1941. Most of the scientists who entered this organization did so for reasons that were purely scientific and not political, One of the facts that induced the scientists to enter this organization was that this organization was able to place the funds for research work at their disposal. Therefore, research work could be done in fields that previously had to stay in the background because of lack of money. Many young scientists, like myself, were induced by the fact, that the salary paid was a very decent one, and this enabled the founding of a family. No political or ideological pressure was asserted for collaboration in this organization. Of course, in this organization as in all other human organizations there were extremists who would take idealogic direction of the work done there. In such cases, it might happen that one would be decried as a reactionary person, but if one remained [illegible], no further attempts were made to put pressure upon us. I can give some personal experiences as an example, that keeping in touch with foreign scientific work was in no way prohibited until 1941. For example I received a degree from the Historical Society of the University of the State of Pennsylvania from the State

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Department. Until 1943 I carried on an unrestricted correspondence with the Swedish man of letters, Stig Wihander; I also carried on an unrestricted personal correspondence with numerous German men of letters and musicians and so on who were not agreeable to Germany. This also included correspondence with Jewish musicians and my membership in this organization did not mean that one was forced to enter the SS. Of course, on the principle, that I shall sink my hopes on one upon whom I depend for my eating, one must often find that kind of honorary rank within the SS.

Q Did you have anything to do with the extermination of the Jews, sterilization, or forced evacuation of the Jews ?

A No, we heard only now of the events of the 8th and 9th of November. For example, only what has been communicated to the German people by state leadership.

Q Could you make any observation during your work with the Ahmenerbe that would lead you to conclude that they had criminal aim in you or that the SS in general had criminal aims in you ?

A My experience only took me as far as the 6th of November, 1939, when I entered the Waffen SS, the militarized SS. Until that time the criminal character of the SS was not shown by our work with the Ahmenerbe. On the contrary, there were many things that one would have to consider from an objective point of view, even if one was not bound ideologically. Of the events of 1934 we also knew only what had been published officially.

Q Can you give any authoritative information concerning the interpreters organization of the SS ?

A Yes, in October, 1941, I was ordered to go to Berlin from the front. I was ordered to found the interpreting department of the Waffen SS, to build it up and direct it.

Q Since which time and why did the Waffen SS have an interpreters department of it's own ?

A The reason that lead towards the building up of an interpreters department of the Waffen SS were purely practical ones. Considering the very quick building up and extension of the Waffen SS, the army could never pay for the required number of interpreters at it's disposal. For self-evident reasons the army was not interested in supplying the Waffen SS with interpreters. The third reason was that by reason of the very large number of

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Volksdeutsche, Germans of foreign extraction who lived abroad, the Waffen SS had at it's disposal the very much larger numbers of foreign people who could be used as interpreters than those who had been born in Germany proper.

Q Since which time did the Waffen SS have interpreters at Home ?

A A short time after the beginning of the inter preters department in 1941, the first interpreters were trained and sent to the division. These interpreters had a training that was in no way different from the training prescribed by the I-C regulation according to rights of international law. The same requirements were applied here as were applied to the training of interpreters of the army. Concerning this one thing, interpreters of the Waffen SS, I ordered the following to be observed and no contrary orders were ever published or issued in the official SS gazette : First, that the prisoner of war who was being interrogated, deserved our humane and personal esteem, and that our purpose of getting from him information concerning the leadership and the purpose of the enemy measure was only of secondary importance. If the prisoner of war who is going to be interrogated shows that he is reluctant to testify no pressure and no third degree and no unallowed methods are to be used on him. The Volksdeutsche Convention and the Geneva Convention were in all cases to be considered the highest law. No trespassing of this regulation was ever reported to me. Also I might say as I handled the training of I-C interpreter's department and I received instructions from other people in my turn.

Q But were not the interpreters asked by secret methods to support criminal actions and illegal activities ?

A No

Q Will you say that the monthly official reports of the interpreters' department of the different divisions

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of the leading SS lead people to believe that illegal activities were being carried out contrary to international law?

A Up to the 15th of August, 1943 when I might say the direction was taken out of my own hands, numerous reports of the interpreters' division were sent to me but never once could I say that any such illegal method had been made use of.

Q Do you know of the order to shoot members of commandos?

A Do you mean the much discussed Fuehrer order of October 1942?

Q Yes.

A Yes, I can give exact statements concerning this. This order was sent to the second armored division of the 5th Mountain Division of Corps on April 19[illegible]. Thereupon, the third general staff officer, who was the I-C of his corps, convened his officer for a conference and said in a sense the following: I took part in this conference as Chief Interpreter of the Interpreters' Court: Gentlemen: This order is of especial importance for us because as we are stationed on the Dalmatian Coast we naturally have to do with Allied Commandos in support of Tito, but this order can never be carried out by us, as the conditions set forth in this order are represented in our corps area. The Allied Commandos in this area are fighting like out own units, according to the rules of war. They are not using any tactics, any especial unethical battle methods, and they are shown to be members of the enemy by their uniform.

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THE WITNESS: Therefore, a proposal was made to the command general to instruct his divisions that these troops ought to be treated exactly the same way as all regular flying troops of the enemy. Thereupon, the divisions acted exactly and in accordance with these regulations. I can prove this by a photostatic copy of letter which the English Lt. Colonel Jack Churchill, commander of the 2nd Service Brigade, who had been an interpreter of the Island Gratz in connection with our action Freischaerler Partisan when our left flank was endangered wrote. In this letter Lt. Colonel Churchill expressed his thanks for the correct treatment. Lt. Colonel Churchill was interrogated by me afterwards, and this interrogation was broken off, although the testimony of this officer would have been extremely valuable for us, though I say he was reluctant to give the information. The same measures were applied to enemies through the personnel, for example, in the case of the English Lt. Colonel Skipwith, who had been taken prisoner in connection with reconnaisance action, and who also could have given very valued information to us.

Q Were any of the Allied Military commission captured in your corps area, and if so, how were they treated?

A No members of the so-called liaison staff of Tito were taken prisoner in our corps area.

MR. TAYLOR: The Commission will take a ten minute rece

(Recess)

BY MR. TAYLOR. You may proceed.

BY DR. KOESSL:

Q What happened to the prisoners of war who had bailed out into the Army Corps area?

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A Allied aviators who had bailed out, or made emergency landings in our area were not interrogated, but they were given medical treatment, and then handed over to the leader by order of the Army High Command which stated that Amt II were not allowed to interrogate aviators who had landed or bailed out.

Q Were the principles of war observed also towards the members of Tito groups and organizations?

A When the 5th Army came to the Balkans in the Fall of 1944, the milita action taken by the Tito Bands was practically commanded, so that the members of these Tito Bands with which we had to do were issued and wore uniforms, and behaved themselves correctly. Therefore, the members of the Tito Band who wer interrogated within the scope of the general command of the 5th Corps were treated according to International and War Law. Along with these there were also partisan troop bands who had no right to be treated correctly, because the did not wear a uniform, and did not behave themselves in their actions to deser such treatment. These bands and Partisans fought in a manner similar to the one described by the French Prosecutor Dubost, who said that the methods used b the French members of the French underground movements could hardly ask for a treatment corresponding to International Law, but in spite of this condition, also these prisoners were only treated fairly. They were fed according to the number three ration rate, and after their interrogation sent to Zenica. They were sent there for the reason that we wanted to spare the civilian population from having unnecessary losses. The civilian population had to suffer enough as it was, which was unavoidable, of course, from the war, and military actions that were going on there.

Q You want to say that even the Partisans were given and treated according to the general military laws?

A Yes. I can give a view by illustration to show that even with these wild Partisans a regular exchange of prisoners according to International Law was carried on, and at a one to one ratio.

Q Was the name Zenica which you have mentioned an army camp or an SS camp?

A The prisoners collecting camp, Zenica, was under the jurisdiction of an army commander. The guarding of this camp was carried out probably by the

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army members, and probably by members of our corps. The SS Sturmbannfuehrer Willibald Keller, who had to see to the administration of this camp, saw to it that the organization,and the makeup of the camp was a very pleasant one. I am sorry. The administration was in Keller's hand, or, provisions of the camp were in Keller's hand.

Q What was the troops conduct towards the civilian population?

A The troops were always given strict orders to do as much as possible to protect and save the civilian population. I remember the members of the reconnaissance unit of this corps who had taken part in excesses against the population, and forbidden approach to women, had been punished with extra-ordinary heavy punishment. These punishments were such so that one might thin they stood in no relation at all to the weight of the offense committed. This took place according to the express will of the General of the corps, who wante to give as much protection to the civilian population, who had already suffered enough through the fights that had been carried on for years on a relatively small area. But there is no question that the civilian population necessarily had heavy losses considering the extent of the fight militarily and politically, and in such a very small area. In our opinion it is less fought of the regular fighting troops on the one side or the other as it is fought by the wild fighting partisans in a regular Tito organization.

Q Do you know of any order according to which soldiers were not to be punished who had taken part in excesses with the native population?

A So far as I know this order was not known in our corps, and within our corps area no actions for disciplinary reasons were taken, in such a case that would have been silly and would have been absurd.

COLONEL GRIFFITH JONES: May I interrupt. Was this the original commander, or otherwise, you mentioned.

THE WITNESS: My experience refers only to what I can relate. Refers only to the 5th Army Corps Mountain Division.

COLONEL GRIFFITH JONES: Yes, I think that clears it up.

THE WITNESS: This order to which you refer was made known to me through different channels, and this order does not say that the German soldiers who committed a penal offense against a member of the native civilian

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civilian population was not to be punished, but that he under certain circumstances did not have to be punished. I can give an example that I personally experienced concerning this order. During the battles about Tunisia, a member of the Nordland Regiment was accused by a Soviet woman teacher that he had carried off, or stolen her gramaphone, whereupon, he was placed before the summary court, tried and sentenced and executed.

BY DR. KOESSL:

Q Did the 5th Army Corps Mountain Division receive orders from the chief of the anti-Partisan Regiments?

A Anti-Partisan troops SS Obergruppenfuehrer and General v. dem Bach

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Silewski had no jurisdiction to give us any orders. He merely sent us a map of which he could make no use because it was incompetent, and gave us no information.

Q The witness Bach Silewski has testified, and his testimony will be found on page 2408 of the German transcript that very confused conditions prevailed in the fighting of Partisans. Is this also true of the European area?

A No.

MR. TAYLOR: I believe the answer was no, wasn't it?

A THE WITNESS: No. I have not finished. No, in our area I can not say that there was any wild confusion concerning the fighting of Partisans from the Army. According to a special penal code, of paragraph 2 from the document, from theAutumn of 1939 the term Partisan was very clearly defined, and put on an equal basiswith the word "Freischaerler", and its term is defined according to both the Geneva and the Hague Conventions, and was defined very clearly. I do not see how any confusion could arise either as to meaning of the term "bandit". The exact date of this special military penal code is the 5 October 1938.

BY DR. KOESSL:

Q The witness, den Bach Silewski has testified that up until the year 1944 there was a service regulation issued concerning the troops and the Partisans, and not until then was the term "Partisan" clearly defined.

A This testimony is incorrect. That already on 27 November 1942 regulations were issued concerning the fighting of Partisans, and the term Freischaerler Army Gazette regulation No. 60 2, a new situation was shown from new experience, so a Partisan definition had to given this new term, and the definition was issued between the 17th and 18th of December 1944, in the council of the Sossmuchi Koli. The collaborators of this new regulation were members of the general staff of the army, and SS Sturmbannfuehrer Keller, who had written the well known pamphlet "Guerrilla Warfare" lies despite our desparate situation or difficulty, and I might say to define the term "Partisan" was a newly defined term, and I repeat, according to theregulation of the Geneva Convention. The representative of the Waffen SS did not try to induce the gentlemen of the army to give a

different formulae to the army. From the very beginning there was no difference of any kind so far as this point was concerned. Of course, there was a difference of opinion so far as thequestions of tactics were concerned, as it always is in cases when tacticians meet.

MR. TAYLOR: The Commission would like to ask the defense counsel if he does not agree that the witness is going pretty far afield with explanations, and he is to answer with an intelligent answer to your questions, but apparently it seems that he is explaining in detail more than what counsel has stated this witness would testify to.

DR. KOESSEL: I shall ask of you two more smallquestions concerning this group of questions, and that would end the discussion of the matter. The testimony of this witness concerning the facts presented have bean very valuable, however, because the prosecution has received a very blurred picture concerning the Partisan fighting.

MR. TAYLOR: All right, proceed, but always try to keep the testimony within the facts alleged so as to save time as much as possible.

BY DR. KOESSEL:

Q The witness den Bach Silewski has also testified that action against the Partisan went very far in their immediate activities, is that correct?

A- Not within our corps area.

Q Under whose jurisdiction was the 5th SS Mountain Corps?

A Underthe High Command of the Army.

Q Did the Army have a similar part in Partisan combatting, as the Waffen SS in the south and eastern territories?

A As the Waffen SS was considerably larger than the Waffen SS, correspondingly larger troops were employed of the army for Partisan combatting in the southeastern area.

DR. KOESSL: That is all, thank you.

MR. TAYLOR: Any cross examination?

CROSS EXAMINATION

BY COLONEL GRIFFITH JONES:

Q You told us first of all about your work in the Ancestral Heritage Ahnenerbe?

A Yes.

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Q Can you tell me how many people were employed in thatoffice, who were also membersof the SS?

A I could only estimate a number.

Q Will you estimate the number?

A My estimate would include about one-half of the members.

Q And how many in figures would that be?

A About fifty in my estimate. I should like to stress the fact that these are only estimates.

Q And would they all be honorary members?

A Yes, they would only be honorary members.

Q And had they any wish to hold that honorary rank. Was there any reason why they should drop it?

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A To that question I could only testify what one of my friends in the Ahnenerbe and myself spoke about when we were offered this honorary membership.

Q What was your position?

A There were a number of older SS leaders who became very much disquieted because a number of young scientists appeared on the scene who had a certain extensive factual knowledge at their disposal.

Q I think you perhaps misunderstood me. Now, if you had not wish to hold an honorary rank of the SS, there was nothing that could have made you do so?

A No. I could not be forced.

Q Now I want to ask you about the interpretering section of the Waffen SS. Did that section provide interpreters to all units of the Waffen SS?

A As long as I myself was the consultant of this division, they did say this would be until 15 August 1943.

Q Those persons whom you recruited into your interpreting section, were they voluntary members of the Waffen SS?

A These interpreters were not recruited. They were transferred from the troops of the Waffen SS, but there were, however, people who had heard that they would become interpreters in the Waffen SS, who, having membership in the Waffen SS wanted to become interpreters with them.

Q Did you ever hear of any complaint from those interpreters who had been in the Waffen SS units -- I had not finished my question. Did you ever hear of any complaint from them that they had been drafted into the Waffen SS against their will?

A No. There were interpreters, however, who did not fulfil the requirements demanded of a troop interpreter. These interpreters told me they did not feel themselves qualified, and they were given the possibility of returning to the fighting troops of the Waffen SS.

Q How many men passed through the interpreters section during the time that you were in charge?

A Up to August 1943 about seven-hundred men. Of these two-hundred and eighty had passed the interpreter's examination. The remainder either

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still were in training, or had not met the requirements of the examination.

Q Can you tell me for what period, and give me the dates of the period with which you were serving with the 5th Moutain Division or Corps?

A From the 15 August 1943 until the 15 October 1944, and in different capacities.

Q Did you ever hear of any complaint from any officer or soldier during that period that they had been compelled to join the Waffen SS against their will?

A This question goes outside the scope of my experience.

Q No, I simply asked you whether you had heard any complaints from anybody?

A No.

Q After your interpreters had left you and gone to the units to which they were appointed, do you know any instances of complaint from any of them of the conditions under which they had to serve?

A Yes, I do.

Q In respect to what?

A These interpreters very often complained to me in letters that they were not being employed in their units in the capacity that they as interpreters might have accepted in the personnel selections.

Q Perhaps I did not make myself clear. Did you ever receive any complaints from them that they, or their units with which they were serving, had in any way broken the rules of warfare?

A No.

Q They would have already had know, would they not, the orders in respect to commanders personally?

A I cannot tell, because I do not know how far the orders concerning the treatment of the commanders' personnel became known in the different units.

Q Was it the duty of those interpreters to carry out interrogations of prisoners?

A That depended.

Q Was it to a great extent a part of their duty? Try to keep your answer as short as you can.

A According to the report that was sent to me monthly concerning the interpreters' sections. At the front there were always interrogation of

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officers assigned for interrogating prisoners of war with the help of a sub-interpreter, but when prisoners of war of lower rank were interrogated, they were very often only interrogated by the interpreter.

Q Very well. Towards the end of 1944 would there had been any SS interpreters other than those that had been through their training establishment?

A I can not say, because the experience that I had with the interpretation sector only goes as far as 1943.

Q When you left were there interpreters in the SS other than those which had been trained in your establishment?

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A Does this question refer to the Waffen SS, or to the General SS?

Q I imagine by that time the general SS was small, so the question would most likely relate to the Waffen SS?

DR. KOESSL: The interpretation was perhaps incorrect. The witness did not mean the general SS, but the SS in general.

BY COLONEL GRIFFITH JONES:

Q I mean the SS in General. Would there be other interpreters in the SS in general besides those trained by your establishment?

A My answer can only relate to the sector of the Waffen SS.

Q I just want to put this to you. Were any of your interpreters used by or drafted to the Einsatz commander?

A What is the Einsatz Commander?

Q I won't go into that question then. Were any of them employed in concentration camps?

A No, they were too precious for that.

Q I have a report here about the office of the Haupt and Hauptbannfuehrer Nichol. Dod you know of that office?

A No.

Q It is PS-1137, and I regret I have not got the court number before me. That was the office which was set up in the Eastern territories for the recruitment of youths from the local population for employment in the Reich?

A I do not know of the office which was just mentioned nor do I know the director of this office who was mentioned here, but I know the reign of the Hauptbannfuehrer.

Q Perhaps you had better look at the document, signed by Nichol Hauptbannfuehrer.

A That relates to the Hitler youth organization.

Q If that office had employed interpreters, would they have been Waffen SS interpreters?

A (No answer)

Q You will see on page 6 of the document there appears the personnel employed by your office, and under that there are described as SS members 234.

DR. KOESSL: No commission officers, privates and interpreters.

THE INTERPRETER: The answer to you first question is not translated.

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BY COLONEL GRIFFITH JONES:

Q Would those SS interpreters have been Waffen SS interpreters?

A As long as I was in charge of the interpreting sector of the Waffen SS, many applications from offices that had nothing to do with the Waffen SS came to us for interpreters and now (witness reads in German from the document) -- I see there is no date on the document.

Q 1944 October.

A I cannot give any testimony as to this, because at that time I had nothing to do with the interpreting section of the Waffen SS.

COLONEL GRIFFITH JONES: That is all.

BY MR TAYLOR: Any further cross examination.

BY M. MONNERAY: How long had you been in the office of the Ahnenerbe?

A I did not work in the office of the Ahnenerbe. I worked as a scientific collaborator.

Q Were you working as inside the Ahnenerbe office?

A My first position was scientific assistant to Professor Herman Wirth. When Professor Wirth left the Ahnenerbe I was placed under the office of the

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Schrift und Simmhildkrunde, runic and Antigue research, research of antique symbols, but I was allowed to individual and personal research along my line.

M. MONNERAY: I have some questions along the Ahnenerbe lines.

MR. TAYLOT: I think the other two counsel have some questions they want to ask.

MAJOR MURRAY: I have no questions.

COLONEL ORLOV: I would like to ask a question.

MR. TAYLOR: Shall we adjourn, and continue cross examination tomorrow.

COLONEL ORLOV: Whatever is the wish of the Commissioners.

MR. TAYLOR: Very well the Commission will adjourn until tomorrow morning.

(The Commission adjourned until 13 June 1946 at 1000 hours)

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The foregoing is a true and correct transcript of the testimony of Hinz Joachim Graf, taken on 12 June 1946.

Rose W. Cook
Reporter (pp

Charles J. Gallagher
Reporter (pp

CERTIFIED TO:

George R. Taylor
Commissioner

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